

H.A

Notice of Allowability

Application No.

10/775,431

Applicant(s)

OVSHINSKY ET AL.

Examiner

Eric Wendler

Art Unit

2824

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment after Non-Final Rejection filed on March 13, 2006.
2. ☒ The allowed claim(s) is/are 1-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>3/13/06</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input checked="" type="checkbox"/> Other <u>EAST search history.</u> |



ANH PHUNG
PRIMARY EXAMINER

DETAILED ACTION

1. This office action is responsive to the following communications: the Application filed on February 10, 2004, and the Amendment after Non-Final Rejection filed on March 13, 2006.
2. Claims 1-29 are pending in the application. Claim 1 is an independent claim.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on March 13, 2006 is in compliance with the provisions of 37 CFR 1.97 and has been considered by the examiner.

Response to Arguments

4. Applicant's arguments, see page 17, lines 6-23; page 18, lines 1-9, filed March 13, 2006, with respect to independent claim 1 have been fully considered and are persuasive. The rejection of claim 1 has been withdrawn.

Allowable Subject Matter

5. Claims 1-29 are allowed.
6. The following is an examiner's statement of reasons for allowance: regarding independent claim 1, while the prior art teaches various types of data protection elements, devices in which transistors are connected in parallel with registers, devices containing phase-change elements which are reversibly transformable between two or more structural states, and devices in which transistors are connected in series with phase-change elements, the prior art fails to teach a data protection element or security device in which the security element is connected in parallel with a phase-change

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device nor does it teach any motivation for connecting a phase-change device in parallel rather than connected a phase-change device in series with transistors as is known in the art. Independent claim 1 is thereby allowable. Claims 2-29 are dependent claims and are dependent upon independent claim 1. Claims 2-29 are therefore also allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Khouri et al. (6,816,404), Kang et al. (6,944,050), Chu et al. (US 2005/0270832), Ooishi (US 2006/0077737), and Lowrey et al. (US 2006/0097240) teach various ways of connecting transistors and switching devices with phase-change elements in a multitude of devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Wendler whose telephone number is (571) 272-5063. The examiner can normally be reached on Monday - Friday 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Elms can be reached on (571) 272-1869. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EJW
5/24/06



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